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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
NGUYEN, HANH N	
ART UNIT	**PAPER NUMBER**
2616	

NOTIFICATION DATE	DELIVERY MODE
09/25/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	09/579,348	PEARCE ET AL.	
	Examiner	Art Unit	
	Hanh Nguyen	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Amendment filed on 7/13/07*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-53* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *8-14* is/are allowed.

6)☒ Claim(s) *1-7 and 15-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/2/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 7/13/07 have been fully considered but they are not persuasive.

In claims 1, 15, 38 and 46, Applicant, in the Remarks, page 18, argues that Kung et al. fails to disclose communicating status information from a first call manager to a second call manager in response to a change in which call manager of the plurality of call managers control a device.

Examiner relies on Kung et al. which discloses when a new call wishes to join into an existing conference (step 1301; fig.13; col.36, lines 15-20) and the current call manager 218 (a first call manager), after polling its conference servers for available resource (steps 1307, 1308 Fig.13; col.36, lines 30-43), and defines that its servers do not have enough resources to provide the new call. The servers do not have enough resources because they are overloaded (col.36, lines 10-15) (the overloaded resource in the first call manager 218 is considered "a change") . The call manager 218 communicates with other call managers 218 in other Ip domains (step 1315; col.36, lines 42-47) requesting available resource for the new call (see col. 36, lines 45-55; communicating status information from a first call manager to a second call manager in response to a change of a call manager controlling a device).

Examiner believes that in Kung et al., the communications between call managers is made (see fig.13, steps 1315; 1325; col.36, lines 40-60); and the communications is made in response to resource in the first call manager 218 is overloaded and unable to provide services to the new call.

In claim 29, Applicant argues that in Kung et al., the call manager does not discloses a digit analysis module storing compositer registration information associated with the devices. As shown in the Office action, Kung et al. discloses a digit analysis module storing registration information (see fig.11 col.34, lines 15-30; the call manager 218 receives dialed digit (step 1101), determines whether the dialed digit indicate a conference call (step 1103); and if the dialed digit indicates the valid conference call or it is authorized to enter the conference (step 1107). Even though the call manager of Kung et al. does not explicitly disclose a digit analysis module storing registration information, but the processes/steps performed by the call manager implies that the call manager prestores registered digits which is used to compare with the dialed digit and determine whether the dialed digit is valid/authorized to participate into the conference. Therefore, it would have been obvious to one skilled in the art configure a digit analysis module in the call manager of Kung et al. in order to store registration information associated with the devices. The motivation is control calls in the conference by sharing network resources between the call mangers in response to a change occurs in one of the call manager controlling the devices.

Claims 8-14 are allowed over prior art.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who

has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2-7, 15-53 are rejected under 35 USC 102(e) as being anticipated by Kung et al. (US pat. No. 6,671,262 B1).

In claims 1, 15, 38 and 46, as explained by applicant in the previous response filed on 7/13/07, the "call manager of the plurality call managers controls a device" is refered to either " a first call manager control a device" or " a second call manager controls a device" or " any other call manager". Therefore, examiner interpretes broadly the meaning of " call manager controls a device" as either the first call manager or the second call manager that controls a device.

Kung et al. discloses, in fig.1, a plurality of IP central station 200 (col.5, lines 1-5). Each Ip central station 200 (as shown in Fig.2), includes a call manger 218 which is coupled to IP network 120 (see col.6, line 63 to col.7, line 1; a first call manager and a second call manager are coupled in a packet based network).The call manager includes a storage listing number of subscribers, verifies identity of the calling subscribers and authenticates whether a call is authorized (storing registration information associated with devices). See col.10, lines 25-35 and lines 55-65.

One of functions of the call manager 218 is to provide call setup, call state maintenance, teardown, call processing such as voice over Ip for a user (see col. 9, lines 10-50 and col.10, lines 10-25; a call manger controls a device). In response to a new call wishes to join into an existing conference (step 1301; fig.13; col.36, lines 15-20) and the current call manager 218, after polling its conference servers for available resource (step 1307, Fig.13; col.36, lines 30-43), defines that its servers does not have enough resources to provide the new call because the servers are overloaded (col.36, lines 10-15; a change occurs in a call manager) . The call manager 218 communicates with other call managers 218 in other Ip domains (step 1315; col.36, lines 42-47) requesting available resource for the new call (see col. 36, lines 45-55; communicating status information from a first call manager to a second call manager in response to a change of a call manager controlling a device). Therefore, At step 1327, fig.13, the new call manager 218 updates the new calling subscriber to the conference call (updating registration information by the second call manager in response to receiving the status information). See col.36, lines 55-60.

For more information, the call manager 218 further comprises one or more databasees including resources that are connected to the broadband network 1 (fig.1) and their current states (col.10, lines 55-65).

Claims 2-7, 16-28, 39-45 and 47-53 depend on claims 1, 15, 38 and 46. Therefore, they are rejected under claims 1, 15, 38 and 46 as well.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 29-37 are rejected under 35 USC 103(a) as being unpatentable over Kung et al. (US pat. No. 6,671,262 B1).

In claim 29, Kung et al. ('262) discloses one or more devices controlling one or mores devices coupled to the packet base network (see claim 1; call manager 218 supports call setup, call teardown, maintains call states, call state change in response to a new call is established; col.9, lines 40-45 and col.10, lines 10-20); a digit analysis module storing registration information (see fig.11 col.34, lines 15-30; the call manager 218 receives dialed digit (step 1101), determines whether the dialed digit indicate a conference call (step 1103); and if the dialed digit indicates the valid conference call or it is authorized to enter the conference (step 1107). Even though the call manager of Kung et al. does not explicitly disclose a digit analysis module storing registration information, but the processes/steps performed by the call manager implies that the call manager prestores registered digits which is used to compare with the dialed digit and determine whether the dialed digit is valid/authorized to participate into the conference. Therefore, it would have been obvious to one skilled in the art configure a digit analysis module in the call manager of Kung et al. in order to store registration information associated with the devices. The motivation is control calls in the conference by sharing network resources between the call mangers in response to a change occurs in one of the call manager controlling the devices.

Kung further discloses in response to a change in the control status of a device controlled by the first call manager (see fig.13, step 1301; when a new call is added to a conference call controlled by accall manager 218), the first call manager operable to communicate status information from the digit analysis module to a second call manager (see claim 1, col.36, lines 30-55; the call manager 218 communicates to other call manager 218s (step 1315) requesting resources for the new call).

Claims 30-37 depend on claim 29. Therefore, they are rejected under claim 29 as well.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 703 306-5445. The examiner can normally be reached on Monday-Thursday from 8AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field , can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 571 272 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Nguyen

HANH NGUYEN
PRIMARY EXAMINER